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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of ) Group Art: 1631  
Gulati ) Examiner:  
Serial No.: 10/677,403 )  
Filed: October 1, 2003 )

Attorney Docket No.: VIALO-27

Title: INTERFEROMETRIC TECHNIQUE FOR QUANTITATING BIOLOGICAL INDICATORS

PETITION TO MAKE SPECIAL

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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TECH CENTER 1600/2900

Sir/Madam:

Please advance the examination of the above-identified application by granting this Petition to Make Special under M.P.E.P. § 708.02 X or in the alternative, under M.P.E.P. § 708.02 XII.

SPECIAL STATUS FOR INVENTIONS RELATING TO HIV/AIDS AND CANCER

The subject matter of the application relates to both HIV/AIDS and cancer diagnosis and treatment in that the application describes a technique for analyzing arrays which are widely utilized for diagnosis of and creation of drugs for both conditions. For example, the technique disclosed can be utilized to more precisely detect if hybridization events have occurred on the microarrays. Earlier disclosure of the advances herein will have a beneficial effect on (i) detecting the presence of hybridization events which may be indicators of drug feasibility and/or effectiveness of a therapy; and (ii) treatment through pharmaceuticals, of HIV/AIDS and cancer.

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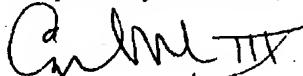
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SPECIAL STATUS FOR APPLICATIONS RELATING TO BIOTECHNOLOGY  
FILED BY APPLICANTS WHO ARE SMALL ENTITIES

The assignee of the above application is ViaLogy Corp., a small entity. The subject matter of this application pertains to biotechnology and this patent application is one of the major assets of ViaLogy and an expedited review of this application by the Patent Office will greatly increase the likelihood that ViaLogy will be able to remain in operation and to produce products based on this technology. Specifically, the invention discloses a technique for increasing the detection of microarray-based hybridization events of biological samples. Furthermore, an expedited review will increase the likelihood of ViaLogy being able to raise costly research and development funds necessary for exploiting this technology.

An authorization to charge a credit card the petition fee of \$130 is attached herewith.

Respectfully submitted,

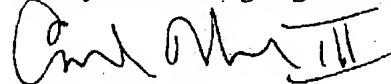


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March 3, 2004

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I certify that the foregoing was sent by facsimile on the date above to 703.872.9306.



Carl A. Kukkonen, III

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**Facsimile Transmission**

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CC:

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Carl Kukkonen